

Wichita Citizen Review Board Minutes
October 4, 2018
4 p.m.
McAdams Recreation Center
1329 E. 16th Street
Wichita, KS 67214

Present: Jay Fowler, Tonja Sowder, Timothy Sims, Robert Thompson, Dennis Bender, Odell Harris Jr., Shaun Rojas, Stephanie Luna, Barry Grissom, Paul Kitchen, Sharon Aillsieger, Janet Miller, Jennifer Magaña, DC Hatter, Captain Doug Nolte, Detective Lloyd, Captain Pinkston.

1. Call to Order—Chairperson Fowler

The meeting was called to order at approximately 4:04 p.m.

2. Approval of August 2 and August 30 Meeting Minutes

Sims noted a correction should be made to his name. Sims made a motion to approve the August 2 minutes with corrections. Second by Fowler. The motion passed unanimously.

Sowder made a motion to approve the August 30 minutes. Second by Sims. The motion passed unanimously.

3. Public Agenda - 15 minutes is set aside for this portion of the meetings.

No one on the public agenda.

4. Staff Report Discussion—A review of cases that are open Captain Nolte

Captain Nolte introduced Detective Lloyd who works in the Larceny section.

Detective Lloyd reported on the Blue Courage training that was recently implemented in the department. This is a national program and Chief Ramsay supports the department being proactive. It is meant to generate discussion to see what the officers are facing, make changes, and be positive influences in the city. They discuss stressors at work and how this job affects personal life and decision making.

Sims asked if the Sedgwick County Sheriff's department has this program.

Lloyd responded no.

Fowler asked how long it will take to get officers through the program.

Lloyd responded they will have all officers through the program in 30 days.

Nolte introduced Captain Nicholson from Patrol East to discuss the body worn camera program which was recently upgraded.

Nicholson noted they have 429 cameras in the field and with the upgrade, audio will be improved, there will be better image resolution and they will have new docking stations.

Sowder asked who decides who does and does not get a camera.

Nicholson responded that all patrol officers have them and they just received a grant for all first responders to have a camera.

Sims asked when it is required for the cameras to be activated and how long footage is kept.

Nicholson responded if they are talking to someone on the street, the camera should be on. It should be on for traffic stops and 911 calls. If the footage is for a felony arrest it will be kept for 10 years; if it is a murder, the footage is permanent; if it is a traffic violation, it depends on the circumstances.

Nolte added that Policy 716 is online and pertains to the retention of the footage.

Sims asked if disciplinary action is taken if they do not activate the body worn cameras.

Nicholson responded that if things are happening quickly, they take that into consideration. But it is policy to activate.

Sowder asked if they wear them for off-duty positions.

Nicholson responded not necessarily. If it is a WPD position, then yes; but If not, then most likely not.

Sims asked if officers can delete or alter footage.

Nicholson responded no because they do not have review privileges.

Nolte began discussion on the staff report and noted they added an open investigation sheet and 2018 cases to the report.

Sims asked if the investigation stops if someone is terminated.

Nolte responded no. They will finish the investigation and report the findings.

Sims asked if retirement prevents a person from being prosecuted.

Nolte responded no.

Fowler and the Board requested more information on PSB 17-2841 to review.

Nolte responded he would have that one for review for next meeting.

5. Policy Review and Proposed Policy Regarding Juvenile Arrest, as well as update on Drone Policy – Captain Nolte and Officer Teddy Wisely

Nolte introduced Officer Teddy Wisely to review the Drone Policy.

Wisely noted that he has been working with drones or unmanned aerial systems (UAS) since 2005 and was helping to retool Policy 802. They have individual pilot licenses to fly drones and have FAA authorizations. He stated they are using best practices from the nation and removed standard operating procedures from the policy. He stated the drones can be used for missing persons and they have thermal cameras for use at nighttime. They can shoot video and take high definition images. Every time the drone goes up, it will be stored in the City's network to be viewed on a City computer for broader dissemination of information. The drone can get

intelligence and feed it back to the command center. There are reports the FAA requires – time, date, location, airspace used, etc.

Wisely noted the FAA rules are constantly evolving. Currently there is a 400 foot altitude cap. Deployment is regulated by the FAA and internal deployment is described in Policy 802.

Rojas asked what would happen if they see something like a marijuana grow while pursuing a suspect with a drone.

Wisely responded that the same rules apply for a body camera as for the UAS footage.

Sims asked if the same rules apply regarding open records.

Wisely responded yes, they have the same evidence rules.

Wisely noted they can be called out 24/7 and are planning to train additional officers. They will have a 40 hour training curriculum including FAA testing. They are still ascertaining how many staff will be needed.

Wisely noted he would be available to demo the drone after the meeting.

Nolte began discussion of the Juvenile Arrest Policy and stated there are clear rules for Miranda warning for juveniles. Youth ages 14-18 may be questioned without parent notification. Youth under 14, must have the parent notified. Police may arrest a 10 year old without notifying a parent, however most staff go case by case and try to consider notifying a parent.

Thompson asked if WPD is open to extending the age to question a minor and if they can change the age to be different than the state law and if they have the authority to change the policy.

Magaña responded it would be possible.

Hatter noted that the Board can make recommendations and suggestions for revisions to the policy.

Nolte added that officers can use discretion and the Chief supports this. They are reviewing how they train officers.

Bender noted that the Chief shared last meeting that the expectation is that the officers use tact and trust while dealing with the public.

Kitchen asked if there would be a reason why a 14 year old is questioned and the parent not contacted.

Nolte responded that the officers must justify their actions at all times. Their reports should include all details as to why they acted the way they did including deviating from or not contacting parents.

6. WPD Staff Movement – Captain Nolte

Nolte announced that he will no longer be heading up the CRB due to some moves in WPD. Captain Pinkston will take over.

Fowler and the Board thanked Nolte.

7. New Business

Luna suggested the Board put notes together regarding things that have been accomplished so far. She asked the Board to consider the mission of the Board and decide on one.

Fowler asked if there was an ordinance update.

Nolte noted that the ordinance statement regarding the executive session would be updated so that everyone on the board would be able to go into executive session. The ordinance will be brought back to the board for review.

Rojas requested a meeting without a report so the Board can figure out what their focus should be.

The Board agreed that the next meeting be on Oct. 25 possibly at Linwood Recreation Center. Location to be confirmed.

8. Adjourn

Sowder made a motion to adjourn. Second by Sims. The motion passed unanimously and the meeting adjourned at 6:09 p.m.